Date 12 June 2008

Name (Frint/Type) James L. Neal

## CENTRAL FAX CENTER

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PTO/SB/17 (10-07) Approved for use through 08/30/2010. OMB 0651-0032

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FEE TRANSMITTAL For FY 2008				Application Number 10		0/809,120		
				Filing Date 03		03/24/2004		
				First Named Inventor Bow		wman		
✓ Applicant claims small entity status. See 37 CFR 1.27				Examiner Name	e Na	asser		
				Art Unit 373		35		
TOTAL AMOUNT OF PAY	MENT (\$	S)	[	Attorney Docke	t No. TT	Γ <b>Ι-</b> 03		
METHOD OF PAYMEN	T (check a	il that apply)						
Check Credit	Card	Money Order	None	e Other (	please identii	fy):		
Deposit Account	Deposit Accou	nt Number: <u>502,141</u>		Deposit A	ccount Name	:_Therma	al Te	chnologies, Inc
For the above-ident	ified deposit	account, the Director	is here	eby authorized to	: (check all	that apply	)	
Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling fee								
Charge any additional fee(s) or underpayments of fee(s)								
under 37 CFI warning: Information on thi	R 1.16 and 1 s form may b	l.17 ecome public. Credit c	ard info		•	•	om F	rovide credit card
information and authorization			*.*					
FEE CALCULATION			·	· · · · · · · · · · · · · · · · · · ·				
1. BASIC FILING, SEAI								
	FILING	rees ; <u>Small Entity</u>	SEAR	CH FEES Small Entity	EXAMIN	łATION F <u>Smali Er</u>		
Application Type	Fee (\$)		Fee (\$)		Fee (\$)	Fee (\$		Fees Paid (\$)
Utility	310	155	510	255	210	105		
Design	210	105	100	50	130	65		
Plant	210	<b>10</b> 5	310	155	160	80		
Reissue	310	155	510	255	620	310		
Provisional	210	105	0	0	0	0		
2. EXCESS CLAIM FEES Fee Description Each claim over 20 (including Reissues)							( <b>\$)</b>	Small Entity Fee (\$) 25
Each independent claim over 3 (including Reissues)							0	105
Multiple dependent claims							0	185
Total Claims								ependent Claims
- 20 or HP = HP = highest number of tota		X = or, if greater than 20.	· —	<del></del>		Fee	<u>(\$)</u>	Fee Paid (\$)
indep. Claims	Extra Clair	<u>ns Fee (\$)</u>		Paid (\$)				<del></del>
- 4 - 3 or HP = HP = highest number of inde		x 105 =		05				•
3. APPLICATION SIZE If the specification and	FEE			er (excludino e	lectronica	illy filed a	eanne.	noe or computer
listings under 37 Cl	FR 1.52(e)	, the application si	ze fee	due is \$260 (\$	130 for sn	nall entity	v) for	each additional 50
sheets or fraction th	ereof. See	35 U.S.C. 41(a)(1	)(G) a	nd 37 CFR 1.1	6(s).			
<u>Total Sheets</u> - 100 =	Extra She	ets <u>Number o</u> / 50 =					Fee	(\$) <u>Fee Paid (\$)</u>
- 100 = /50 = (round up to a whole number) x = 4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount)								
- Other (e.g., late filing			_	2000 MIN				<del></del>
	,	/ Ottman Discioling						65
SUBMITTED BY / /		1	ΤB	paietration No				
ignature / km	m Z	(mz		egistration No.	13,09	7 Te	lephor	ne (801) 953-0953

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) in application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/809,120

Applicant's Docket: TTI-03

Applicant:

H. Frederick Bowman

Filing Date:

03/24/2004

Examiner:

Robert L. Nasser

Art Unit:

3735

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER "PRIOR" PATENTS

The owner, Thermal Technologies, Inc., of one-hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of claims 1-2 and 4-9 in any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 5,797,398 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

The owner, Thermal Technologies, Inc., of one-hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of claims 1-2 and 4-9 in any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 5,692,514 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory terms as defined in 35 U.S.C. 154 and 173 of the prior patents, "as

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the term of said prior patent is presently shortened by any terminal disclaimer," in the event that either or both of said prior patents later:

expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney or agent of record. Reg. No.23,097.

Respectfully submitted,

James L. Neal Tel. (801) 953-0953

ineal@hemedex.com

June 12, 2008

The terminal disclaimer fee required by 37 CFR 1.20(d) is included.